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| TO: | FROM: | |
| Examiner James L Habermehl | James E. Boice, Reg. No. 44,545 | |
| ORGANIZATION: | DATE: | |
| US Patent and Trademark Office | March 18, 2005 | |
| ART UNIT: | CONFIRMATION NO.: | TOTAL NO. OF PAGES INCLUDING COVER: |
| 2655 | | 4 |
| FAX NUMBER: | APPLICATION SERIAL NO: | |
| 703-872-9306 | 10/675,787 | |
| ENCLOSED: | ATTORNEY DOCKET NO: | |
| Terminal Disclaimer | HSJ920030204US2 | |

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Typed or Printed Name: Jane Graham Date: March 18, 2005 Signature: Jane Graham

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 18 2005

IN RE APPLICATION OF:

JORGE F. ESCOBAR, ET AL.

SERIAL NO.: 10/675,787

FILED: SEPTEMBER 30, 2003

FOR: HARD DISK DRIVE HAVING
DRIVE TEMPERATURE SELF-
ADJUSTMENT FOR
TEMPERATURE SENSITIVE
MEASUREMENTS

ATTY. DOCKET NO.: HSJ920030204US2

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§ EXAMINER: JAMES HABERMEHL

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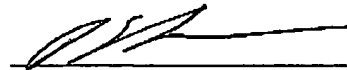
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SIR:

Applicants submit herewith a Terminal Disclaimer in the present application. Please charge the Terminal Disclaimer fee under 37 C.F.R. 1.20(d) to **HITACHI GLOBAL STORAGE TECHNOLOGIES Deposit Account No. 50-2587**. No extension of time is believed to be necessary. However, in the event an extension of time is required, that extension of time is hereby requested. Please charge any fee associated with an extension of time as well as any other fee necessary to further the prosecution of this application to **HITACHI GLOBAL STORAGE TECHNOLOGIES Deposit Account No. 50-2587**.

Respectfully submitted,

James E. Boice
Reg. No. 44,545
Dillon & Yudell LLP
8911 North Capital of Texas Highway
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Austin, Texas 78759
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ATTORNEY FOR APPLICANT(S)

PTO/SB/26 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
HSJ920030204US2

In re Application of: JORGE F. ESCOBAR, ET AL.

Application No.: 10/875,87

Filed: SEPTEMBER 30, 2003

For: HARD DISK DRIVE HAVING DRIVE TEMPERATURE SELF-ADJUSTMENT FOR TEMPERATURE-SENSITIVE MEASUREMENTS

The owner, HITACHI GLOBAL STORAGE TECHNOLOGIES, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. US 6,865,506 B1 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 44,545



Signature

MARCH 10, 2005

Date

JAMES E. BOICE

Typed or printed name

512-349-6116

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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Shenise Ramdeen

From: Shenise Ramdeen

Sent: Thursday, March 10, 2005 10:58 AM

To: 'james.habermehl@uspto.gov'

Subject: Serial No. 10/675,787 (Atty. Dkt. No. HSJ920030204US2)

Examiner Habermehl,

Pursuant to your conversation with Jim Boice (Reg. No. 44,545), this morning, please find attached the Terminal Disclaimer for the above referenced patent application.

If you have any questions, or require any further information, please feel free to contact us.

Best Regards,

Shenise Ramdeen
Patent Legal Assistant to James E. Boice

Dillon & Yudell LLP
512-343-6116 T
512-343-6446 F

3/10/2005